

STATE OF INDIANA) IN THE KOSCIUSKO CIRCUIT COURT
COUNTY OF KOSCIUSKO) SS:
CAUSE NO. 43C01-0802-PL-54

STATE OF INDIANA,)
Plaintiff,)
v.)
STEPHEN E. SCHAADT,)
Defendant.)

ANSWER

Defendant, Stephen E. Schaadt, by his attorneys, Baker & Daniels LLP, states for his answer to plaintiff's complaint, as follows:

1. Defendant denies the allegations contained in paragraph 1. By way of further answer, defendant states that "Quality Auto of Warsaw, Inc." is the d/b/a of the Indiana corporation, Quality Automotive Store, Inc.. Defendant has no ownership or other interest in Quality Automotive Store, Inc.

2. Defendant denies the allegations contained in paragraph 2. By way of further answer, defendant states that he did not sell used motor vehicles to any of the consumers identified in paragraph 2, but believes, on information and belief, that Quality Automotive Store, Inc. sold motor vehicles to the identified persons.

3. Defendant lacks information or knowledge sufficient to form a belief as to the veracity of the allegations contained in paragraph 3.

4. Defendant denies the allegations contained in paragraph 4.

5. Defendant denies the allegations contained in paragraph 5.

6. Defendant denies the allegations contained in paragraph 6.

7. Defendant admits that he has not delivered titles to the persons identified in paragraph 2, but states that he did not sell motor vehicles to the persons identified in paragraph 2.

8. Defendant denies the allegations contained in paragraph 8.

9. Defendant lacks information or knowledge sufficient to form a belief as to the veracity of the allegations contained in paragraph 9.

10. Defendant denies that Micah Dilley is his agent or employee. On information and belief, Micah Dilley was employed by Quality Automotive Store, Inc., an entity in which defendant has no ownership or other interest. Defendant lacks information or knowledge sufficient to form a belief as to the veracity of the comments allegedly made by Micah Dilley.

11. Defendant admits that he has not paid off the Rucker trade vehicle, but states that he was not in any manner involved in the transaction at issue or that he ever had possession of the Rucker trade vehicle.

12. Defendant neither admits nor denies the allegations contained in paragraph 12, but states that the referenced statute speaks for itself.

13. Defendant denies the allegations contained in paragraph 13 as they relate to the referenced transactions.

14. Defendant denies the allegations contained in paragraph 14 as defendant was not involved in the referenced transactions, did not sell the vehicles at issue, did not communicate with the purchasers identified and did not receive any payment from those individuals.

15. Defendant denies the allegations contained in paragraph 15.

16. Defendant restates and realleges the answers to paragraphs 1-15 above as and for his answer to this paragraph 16.

17. Defendant denies the allegations contained in paragraph 17.

18. Defendant restates and realleges the answers to paragraphs 1-17 above as and for his answer to this paragraph 18.

19. Defendant denies the allegations contained in paragraph 19.

20. Defendant denies the allegations contained in paragraph 20.

21. Defendant denies the allegations contained in paragraph 21.

WHEREFORE, defendant, Stephen Schaadt, prays this Court dismiss plaintiff's complaint and award him his costs incurred herein.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief may be granted as defendant is not the proper party in interest.

2. Plaintiff has failed to state a claim upon which relief may be granted as defendant was not provided with notice prior to the filing of this action.

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ATTORNEYS FOR DEFENDANT
STEPHEN E. SCHAADT

CERTIFICATE OF SERVICE

I certify that on the 25th day of February, 2008, I served a copy of the foregoing **Answer** upon each party or attorney of record herein by mailing the same to each of them by first-class mail, postage prepaid:

Mary Ann WehmueLLer
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